

EXHIBIT 1

In The Matter Of:

*CHAE BROTHERS, LIMITED LIABILITY COMPANY, ET AL. v.
MAYOR AND CITY COUNCIL OF BALTIMORE, ET AL.*

KALIOPE PARTHEMOS

January 12, 2021

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

CHAE BROTHERS LIMITED
LIABILITY COMPANY, Et Al.,

Plaintiff,

V.

MAYOR & CITY COUNCIL OF
BALTIMORE, Et Al.,

Defendant.

CASE NO.:
1:17-CV-01657-GLR

Tuesday, January 12, 2021

Deposition of

KALIOPE PARTHEMOS,
a witness called for examination by counsel for the
Plaintiffs, pursuant to Notice, hosted via virtual
videoconference by CourtScribes, Inc., commencing
at approximately 9:00 a.m., there being present on
behalf of the respective parties:

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1 A Explaining why we had liberal leave. And
2 just answering questions that the business
3 community had.

4 Q When you say that you were -- in part to
5 prepare for the protests -- in touch with the
6 Governor's Office, what kind of communications was
7 the City having with the Governor's Office with
8 respect to the protests?

9 A I specifically spoke to the Governor's
10 Chief of Staff. I can't remember if it was Friday
11 or Saturday morning. Because Commissioner Batts
12 had some concerns over the, I guess, the amount of
13 resources that the State Police sent.

14 And I remember there was another issue
15 that I had to speak specifically to the Governor's
16 Chief of Staff about, but I can't remember what it
17 was.

18 Q Do you remember who the Governor's Chief
19 of Staff was at that time?

20 A I knew you were going to ask that
21 question, and I can see the guy's face, but I
22 cannot remember his name. I'm sorry.

23 Q Okay.

24 A I can't remember his name.

25 Q Just so I think we're talking about the

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1 Staff contacted me and told me that I would -- that
2 he would be my point of contact for that week. So
3 that's why he and I were communicating.

4 Q Okay. So that was kind of the line of
5 communication that had been established for that
6 time period. Is that what you're saying?

7 A Yes.

8 Q So Chief Hyatt also testified that prior
9 to April 25th, 2015, she participated in meetings
10 where it was discussed and/or decided that the
11 Baltimore City Police Department officers, police
12 officers, would have to seek permission to make
13 certain types of arrests during the protests. Do
14 you recall hearing about such arrest procedures?

15 A I don't.

16 Q Okay. Do you recall there being any
17 discussions about ensuring that protesters were
18 given enough space to exercise their First
19 Amendment rights to protest?

20 A I remember there being discussions on the
21 Ferguson model. I believe there may have been
22 tabletop exercises with regards to the lessons
23 learned after the Ferguson model with regards to
24 how to handle protests, and that the Ferguson model
25 was -- and then whatever best practices. I

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1 remember the Ferguson model being discussed a lot.

2 Q Okay. And I'm sorry, I'm not familiar
3 with the Ferguson model. If you could describe
4 what the Ferguson model is?

5 A There was a report after Ferguson with
6 regards to -- and there were tabletop exercises
7 based on that report that law enforcement
8 throughout the country had used. And it was with
9 regards to what went wrong during Ferguson.

10 And one of the things, I believe, was
11 confronting the protesters and having the --
12 treating them with -- you know, having on riot
13 gear on immediately without just allowing people to
14 protest.

15 Q Okay. So there was a discussion, you
16 said, regarding the Ferguson model or what you just
17 spoke about. What was discussed?

18 A From what I remember -- I can't remember
19 if it was at that time or after. But it was the
20 fact that -- like, what went wrong in Ferguson and
21 what went wrong during the protest, and the show of
22 force from the beginning, and not allowing people
23 just the opportunity to protest was what escalated
24 the violence.

25 Q Okay. And so were there discussions

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1 about how not to do that?

2 A I remember there being discussions that
3 they would put on riot gear when it was necessary,
4 but the initial approach would be to allow the
5 protesters the opportunity to protest.

6 I mean, people had a right to be angry
7 and upset and wanting answers. You know, a
8 gentleman died in police custody. There's no
9 excuse for that.

10 And so we understood -- you know, I
11 understood -- I don't know about everyone else, I'm
12 sure everyone else did as well -- that tensions
13 were high, and people deserved answers. I mean, we
14 wanted answers.

15 So we understood that people were upset,
16 and that people were going to protest, and that
17 people should have the right to protest.

18 Q Sure. I'm sorry?

19 A You know, it's a democracy, and people
20 should have the ability to protest and not be
21 approached with a show of force and tear gas and
22 riot gear. So that was the discussion that we were
23 having.

24 Q So I hear two issues that I'd like to
25 talk about. First is the donning of riot gear.

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1 During Chief Hyatt's deposition, she also testified
2 that prior to April 25th, 2015, that she had
3 participated in meetings where it was discussed
4 and/or decided that police officers should not wear
5 riot gear until it was deemed necessary.

6 A Yes. That was what Commissioner Batts
7 told us that their approach would be.

8 Q Okay. So they were --

9 A But we don't make the public safety
10 decisions. That was all left up to the Police
11 Commissioner. And his approach -- again,
12 referencing the mistakes that were made in
13 Ferguson, based on that report -- were to not have
14 riot gear until necessary.

15 Q Okay. So Commissioner Batts let you
16 guys, the City, know that this is what they were
17 going to do. Is that correct?

18 A Yes.

19 Q Was there any discussion as to whether or
20 not that was the proper thing to do between the
21 City and the police department?

22 A It was a police operation. We don't --
23 you know, he explained to us why that was going to
24 be the approach. He's hired to do his job. It was
25 -- I don't remember there being questions.

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1 I think we had all -- were familiar with
2 Ferguson. I know the Mayor, during the U.S.
3 Conference of Mayors, had been briefed on the
4 Ferguson model.

5 At the time, there was a lot of
6 discussion about the Ferguson model. It was on TV.
7 There was a lot of discussion about what went
8 wrong. So I don't -- I think everyone basically
9 understood the approach.

10 Q Okay. So was Commissioner Batts letting
11 the City know what he was directing the Baltimore
12 City Police Department to do? Things like, "Hey,
13 we're going to tell people not to wear riot gear
14 unless it's necessary." Was he communicating his
15 strategies to the City?

16 A I mean, it wasn't a play-by-play. The
17 man was working and in the middle of everything.
18 But before, when we asked if he was ready, if he
19 needed anything else, did he hear --

20 You know, because we have community
21 people calling us. We have business people calling
22 us. We have our Mayor's Office of Community
23 Liaisons coming to us. And we're hearing this,
24 we're hearing this, we're hearing this.

25 So there was either a call or a meeting,

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1 I can't remember which, saying, "Okay, we
2 understand this is going to happen. It's going to
3 start at whatever time. Are you ready?" And he
4 said, "Yes."

5 Q Okay. Now, in addition to the riot gear,
6 you said you recall discussions with the police
7 department, with Commissioner Batts that, "Hey, you
8 know, tensions are high. Ferguson model doesn't
9 work. We need to allow them to protest." Correct?

10 A I don't think it was "we need to allow
11 them to protest." I remember there being
12 discussions with regards to whatever came out in
13 the Ferguson report, like, the after-report with
14 regards to what happened. And I mean -- and
15 stating that this was the best approach for a
16 protest.

17 Q Sure. Well, I guess what I'm saying is
18 this. If people are protesting legally, not
19 committing any crimes, not committing any property
20 destruction, not committing any violence -- they're
21 peacefully protesting --

22 A Which had been happening the entire week.

23 Q If people are peacefully protesting and
24 not breaking any laws, there's no need to tell the
25 police, "Hey, don't do anything." Because they're

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1 Q It was just, "Hey, be prepared in case we
2 need to." That was kind of the marching orders?

3 A Yes.

4 Q Was there any discussion at that meeting
5 with respect to the National Guard?

6 A No.

7 Q Now, after the events that had occurred
8 on April 25th -- the violence, the looting, and the
9 property destruction -- was there any discussion as
10 to whether the approach to the protest or
11 protesters should change?

12 A I don't remember.

13 Q Do you recall there being any discussions
14 with the Baltimore City Police Department after
15 April 25th had occurred, "Hey, we need to tighten
16 the reigns up a bit. We need to ensure that this
17 type of activity -- the violence, property
18 discussion, and looting -- does not happen moving
19 forward."

20 A I don't remember.

21 Q Now, I assume your discussions with
22 Commissioner Batts are ongoing with respect to
23 resources as we pass through April 25th. Is that
24 correct?

25 A I remember him telling me that they were

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1 ready for the purge. They were aware of it, and
2 they were prepared. I don't remember any other
3 discussions. That doesn't mean they didn't occur.

4 Q Okay. At this point, after April 25th,
5 do you recall engaging in any discussions or making
6 other phone calls to outside jurisdictions, similar
7 to the call that you had --

8 A No.

9 Q I'm sorry?

10 A No. No, I don't.

11 Q Let me step back for a second and go back
12 to April 25th. And if I could direct you to
13 [Exhibit 19](#)?

14 MR. HWANG: Can we mark that as Exhibit
15 19? It's Bates stamped -- produced by the City,
16 Bates stamped CITY00039193.

17 (Whereupon, a document was marked for
18 identification Parthemos Deposition Exhibit No.
19 19.)

20 THE WITNESS: Okay.

21 BY MR. HWANG:

22 Q Now, you sent the email that was sent in
23 [Exhibit 19](#) on April 25th, 2015 at 6:48 p.m. Is
24 that correct?

25 A Yes.

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1 there were conversations about the funeral,
2 expectations of what was going to happen at the
3 funeral, as well as students planning the purge.

4 Q Okay. So April 27th was setting up to be
5 a pretty important day, right? There was the
6 funeral, the purge, as you expected. And so it was
7 kind of a big day on the City's calendar. Would
8 you say that's accurate?

9 A It was a big day on the City calendar
10 generally. Because you were having the funeral of
11 someone who was killed in police custody that
12 everyone -- including the police department, the
13 Mayor's Office, and the entire city and nation --
14 were upset about, coupled with what happened on
15 Saturday.

16 Q Okay. And now the purge, correct?

17 A Yes.

18 Q Now, if I could direct your attention to
19 -- actually, if we could stay on the purge. Did
20 the City take any additional measures in light of
21 this expected student purge?

22 A The Police Commissioner told us that he
23 was aware of it and that they were prepared.

24 Q Okay. Anything else?

25 A I don't remember.